

NASHVILLE STATE COMMUNITY COLLEGE

COMPUTER USE AND FILE SHARING; COPYRIGHT INFRINGEMENT

POLICIES AND SANCTIONS

Nashville State Community College prohibits the misuse or abuse of computer resources, and does not permit students to use university resources to illegally download or share copyrighted digital files. Further, the College discourages students from using their personal resources to do the same.

Computer usage at NSCC is governed by the [NSCC Acceptable Use and Wireless Access Policy](#). This policy identifies appropriate use of these resources expected of all users, including students. The policy provides information concerning copyrights and the expectation that users will comply with the law with regard to copyright. Additionally, the policy states that students are subject to the [NSCC Student Code of Conduct](#).

The Student Code of Conduct handbook provides:

Abuse of Computer Resources and Facilities. Misusing and/or abusing campus computer resources including, but not limited to the following:

1. Use of another person's identification to gain access to institutional computer resources,
2. Use of institutional computer resources and facilities to violate copyright laws, including, but not limited to, the act of unauthorized distribution of copyrighted materials using institutional information technology systems,
3. Unauthorized access to a computer or network file, including but not limited to, altering, using, reading, copying, or deleting the file,
4. Unauthorized transfer of a computer or network file,
5. Use of computing resources and facilities to send abusive or obscene correspondence,
6. Use of computing resources and facilities in a manner that interferes with normal operation of the institutional computing system,
7. Use of computing resources and facilities to interfere with the work of another student, faculty member, or institutional official,
8. Violation of any published information technology resources policy,
9. Unauthorized peer-to-peer file sharing,
10. Any violation of the terms of the NSCC Acceptable Use and Wireless Policy.

It is important for students to understand that NSCC complies with the recording, film and entertainment industry to monitor illegal copyright activity. Copyright infringement is the act of exercising, without permission or legal authority, one or more of the exclusive rights granted to the copyright owner under section 106 of the Copyright Act (Title 17 of the United States code). These rights include the right to reproduce or distribute a copyrighted work. In the file-sharing context, downloading or uploading substantial parts of a copyrighted work without authority constitutes an infringement.

Violation of NSCC policy may result in the immediate suspension of any or all of the following: the user's account, network access, and Internet access. These privileges may ultimately be permanently removed without refund of any technology access fees. Students will also be subject to the regular disciplinary process with sanctions which may include suspension or dismissal from the College. Additionally, students will be required to obtain further information on the subject at www.campusdownloading.com.

Penalties for copyright infringement include civil and criminal penalties. In general, anyone found liable for civil copyright infringement may be ordered to pay either actual damages or "statutory" damages affixed at not less than \$750 and not more than \$30,000 per work infringed. For "willful" infringement, a court may award up to \$150,000 per work infringed. A court can, in its discretion, also assess costs and attorneys' fees. For details, see Title 17, United States Code, Sections 504 and 505. Willful copyright infringement can also result in criminal penalties, including imprisonment of up to five years and fines of up to \$250,000 per offense. For more information, please see the website of the U.S. Copyright Office at www.copyright.gov.